

**Approved BOARD MINUTES September 24, 2015**

The Village Board meeting was called to order at 7:30 pm by Mayor Manicki, who led the pledge to the flag.

**PRESENT:** Mayor Manicki, Trustees Daluisio, Warmus, Retzlaff and Mezydlo, Clerk/Treasurer Wachowiak, Deputy Clerk Galbraith, CEO Czechowski, Superintendent Sitzman, Eugene Nuwer, William and Alex Severyn, Mike Canfield, Buffalo News and Sue DeWitt, Alden Advertiser. The following students were also in attendance: Alyssa Kozak, Sara Connors, Nikara Mages, McKenzie Gadd, Emma Retzlaff, Laura Karlnoski, Lilly Kozlowski, Kayla Kopinski, Victoria Adkins, Dylan Eason, Sullivan Kelley, Jordan Stockweather, Alex Motz, Amber Roberts, Brittney Rimbeck, Alex B., Mark Mychajlak, Matt Lamb, Amanda Hagen, Douglas Scott, Makenzie King, Jessica Giglia, Mallory Ronan, Kelsey Crawford, Delaney Keppull, Layton Miner and Evan Fix.

Absent: Attorney Trapp

**MOTION** by Trustee Retzlaff, seconded by Trustee Warmus, to approve the minutes of the September 10, 2015 meeting. Carried.

**MOTION** by Trustee Mezydlo, seconded by Trustee Warmus, to approve for payment bills on abstract dated September 24, 2015. Carried

Payroll	\$42,215.11
Abstract	\$38,387.03

**MOTION** by Trustee Daluisio, seconded by Trustee Mezydlo, to approve the following reports: Planning Board for Aug. and Sept., Fire for August, DPW addendum for August and Ethics for Sept. Carried.

**COMMUNICATIONS**

Planning Board memorandum on Birch Creek Patio Homes, and Alden Medical, Memo from E.C. Dept. of Env and Planning co: CDBG Public Hearing, information on the Cohen Law Group, NYS office of the State Comptroller Annual Financial report for FreedMaxick audit, newsletter Alden Chamber of Commerce and Grant Action News, Narcan training announcement, requests from Sports Boosters, Alden Substance Abuse Coalition, Dollars for Scholars, ACTS and St. John's School. NYSERDA co; NY Sun solar panel financing, pre-retirement seminar from RPEA, rejection letters from CDBG Program and NYS Archives grants, memorandum from CEO Czechowski concerning inspections in town, conference notice from Organization of Public, Employer Negotiators, minutes from the Town of Alden and Association of Erie County Governments, correspondence from Attorney Trapp concerning Time Warner merger, AIM funding notification for \$15,891 and correspondence from Alden Central Schools concerning dumpster extension.

**MOTION** by Trustee Warmus, seconded by Trustee Retzlaff, to file as received all correspondence. Carried.

**RESOLUTIONS/APPOINTMENTS/REQUESTS/MOTIONS:**

**Motions for September 24, 2015**

**MOTION** by Trustee Retzlaff, and seconded by Trustee Warmus, to set a public hearing October 8, 2015 at 7:45 pm to regarding Community Development Block Grant funds in the Village of Alden. Carried.

MOTION by Trustee Mezydlo, and seconded by Trustee Daluisio, to approve the Alden High School's request to erect a sign in Alden Firemen's Bandstand Park from September 21-30, 2015 to advertise their Community Education Registration. Carried.

MOTION by Trustee Daluisio, and seconded by Trustee Mezydlo, to accept the audit of the Village of Alden and Court as supplied by FreedMaxick, CPAs C.P. for the fiscal year ending 5/31/2015. Carried.

MOTION by Trustee Retzlaff, and seconded by Trustee Warmus, to approve Alden Dollars for scholars request to erect a sign in Alden Firemen's Memorial Bandstand Park from Sept. 23 – Oct. 2, to advertise their chicken BBQ. Carried.

MOTION by Trustee Warmus, and seconded by Trustee Mezydlo, to approve ACTS Inc. request to erect a sign in Firemen's Bandstand Memorial Park from October 6-15 to advertise their play. Carried.

MOTION by Trustee Daluisio, and seconded by Trustee Retzlaff, to approve Alden Football Boosters permission on the following: to decorate the Village of Alden with blue and gold ribbons and various Bulldog signs, and to maintain the decorations until they are all removed on November 15, if not sooner. Carried.

MOTION by Trustee Warmus, and seconded by Trustee Daluisio, to approve the Fire/Ems calls from Sept. 5-18, 2015. Carried.

MOTION by Trustee Daluisio, and seconded by Trustee Mezydlo, to approve St. John's request to place one sign in Firemen's Bandstand Memorial Park from Oct. 15-24, to advertise their craft show. Carried.

The following resolution was offered by Trustee Retzlaff, who moved its adoption, seconded by Trustee Mezydlo,

To wit:

WHEREAS, Birch Creek Run/Severyn Development is requesting special permit and site plan approval for a patio home development; and

WHEREAS, the special permit and site plan approval are classified as Unlisted actions and are subject to review within the requirements of the New York State Environmental Quality Review Act (SEQR); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Birch Creel Run/Severyn Development has prepared a short environmental assessment form, which is now on file with the Village of Alden, and may be reviewed at the Village offices, 13336 Broadway, Alden, New York 14004; and

WHEREAS, pursuant to the Law, the Village of Alden Board of Trustees assumes lead agency status;

NOW, THEREFORE, BE IT:

RESOLVED, that the Village of Alden Board of Trustees hereby assumes the role of lead agency for the purpose of determining what significance this project has on the environment, and be it further

RESOLVED, that the Village of Alden Board of Trustees, as Lead Agency, hereby determines that the proposed Unlisted actions, as described in the attached SEQR Negative Declaration, Notice of Determination of Non-Significance, which attached notice is hereby made part of this resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said proposed action.

Roll Call Vote: Trustee Retzlaff- aye  
Trustee Warmus-aye  
Trustee Mezydlo-aye  
Trustee Daluisio-aye  
Mayor Manicki-aye Carried.

MOTION by Trustee Retzlaff, and seconded by Trustee Daluisio, to approve the Special Permit for the Birch Creek Patio Home Development, 13030 Main Street, as per submitted application and supporting documentation. Carried.

*On the question:* Mayor Manicki – some residents will be unhappy with the board’s decision. This project was given careful consideration. It provides a housing product the village doesn’t currently have. It will keep or attract residents who want to own a house but don’t want the work that comes with it. In addition it will bring a substantial increase in our tax base which helps us all. It is the best outcome for the village as a whole.

MOTION by Trustee Retzlaff, and seconded by Trustee Mezydlo, to approve the Formal Site Plan for the Birch Creek Patio Home Development, 13030 Main Street, with the following conditions:

- 1) Developer must provide documentation showing the proposed drainage easement on the northern (Koelbl) property has been executed before the issuance of any Building Permit for the project.
- 2) The developer will install a six-foot high vinyl stockade fence along the west property line to serve as a buffer. Fencing to be installed from a point ten feet from the southern property line northward to the north property line, along the west property line. Said fence to be of a color and design approved by the Village of Alden.
- 3) All outstanding fees, including engineering reimbursement fees, must be paid before the issuance of any Building Permit for the project.
- 4) Canvas awnings and roofs may only be installed upon issuance of a Building Permit from the Village of Alden.
- 5) Roofing replacement may only be done upon issuance of a Building Permit from the Village of Alden.
- 6) No Home Business Occupation may be undertaken unless a Home Occupation Permit is first secured from the Village of Alden.
- 7) Developer will monitor and regulate on-street parking through the Homeowners Association Agreement so that emergency vehicle access is maintained as required by the New York State Building Construction & Fire Prevention Code. This includes daily street parking as well as parking for guests and special events.

8) Final copies of the Birch Creek Run Community Restrictions and Maintenance Agreement and Birch Creek Run Maintenance Contract must be submitted to the Village of Alden before the issuance of any Building Permit for the project.  
Carried.

MOTION by Trustee Warmus, and seconded by Trustee Retzlaff to authorize CEO Czechowski to attend a Zoning Enforcement Seminar on October 28, 2015 in Pittsford, NY. This is a budgeted item. Carried.

MOTION by Trustee Mezydlo, and seconded by Trustee Retzlaff, to approve the Formal Site Plan for the Alden Medical Group, 12845 Broadway, with the following conditions:

- 1) Southern and western drainage conveyance issues must be further examined and resolved to the satisfaction of the Village of Alden before the issuance of any Building Permit.
- 2) Exterior wall packs are to be shielded to keep lighting directed onto the subject property. A one year review period will be in effect from the date of the issuance of a Certificate of occupancy for the project to ensure there is no impact on neighboring properties.
- 3) The plans must be modified to show parking in compliance with applicable codes, and verified before the issuance of any Building Permit.
- 4) The new handicap ramp must be shown on the plans, ensuring that it is code-compliant before the issuance of any Building Permit.

Carried.

MOTION by Trustee Retzlaff, and seconded by Trustee Mezydlo, to approve Gary Pellittieri as Water and Sewer Treatment Plant Operator effective Friday, September 25, 2015 and to forgo the probationary period stated in contract section 24.4. Carried.  
*On the question:* Mayor Manicki explained that Gary has been serving in the position for over a year, so the probational period has been waved.

**BUSINESS FROM FLOOR-** At this point several students asked questions for the board.

**REPORTS FROM COMMITTEES/DEPARTMENTS:**

**Superintendent Sitzman** – Elm St. sewer project out to bid 10/15, with construction this fall. Elm St. Residents will be kept informed of the progress, should not be too inconvenienced. Bulk Pick up 9/28, there is no street pick up of electronics, check the website for information. Keith will be out of town from 9/29-10/4.

**CEO Czechowski** – to finish up, the Mayor will sign the 2 site plans.

**Mayor Manicki** – still investigating funding for the lighted pedestrian signaling system, solar powered, button activated.

**UNFINISHED AND TABLED BUSINESS:**

None

**ADJOURNMENT**

Motion by Trustee Retzlaff, seconded by Trustee Daluisio, to adjourn. 7:55 pm. Carried.

I respectfully submit  
Sue Galbraith,  
Deputy Village Clerk

